

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and filing and the agency decides that prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office. The Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 411001 et seq.) publication of the Notice of Supplemental Proposed Rulemaking in the *Register* before holding any oral proceedings (A.R.S. § 411022).

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

PREAMBLE

- Volume 4, Issue #38

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7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
8. The preliminary summary of the economic, small business, and consumer impact:
The proposed amendments of the rules will have no economic impact on either the Osteopathic physicians or medical assistants regulated under 4 A.A.C. 22, or the public. The Osteopathic physicians and medical assistants will be informed of the expected time frames required to process applications to this agency. The costs are to the Secretary of State for publication of the rules and to the Board in promulgating them.
9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:
Name: Ann Marie Berger, Executive Director
Address: Arizona Board of Osteopathic Examiners in Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale, Arizona 85258-5539
Telephone: (602)657-7703
Fax: (602)657-7715
10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:
Date: November 14, 1998
Time: Immediately following the 8 a.m. Board Meeting
Location: Board of Osteopathic Examiners in Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale, Arizona 85258-5539
Nature: Public Hearing
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
12. Incorporations by reference and their location in the rules:
None.
13. The full text of the rule follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

ARTICLE 1. GENERAL PROVISIONS

Section

- R4-22-105. Temporary licenses Repealed
- R4-22-116. Time-frames for Initial Licensure
- R4-22-117. Time-frames for Locum Tenens Registration or Extension
- R4-22-118. Time-frames for License Renewal
- R4-22-119. Time-frames for Educational Teaching Permit
- R4-22-120. Time-frames for Training Permit
- R4-22-121. Time-frames for Short Term Training Permit
- R4-22-122. Time-frames for Registration to Dispense Drugs and Devices
- R4-22-123. Time-frames for Approval of Educational Programs for Medical Assistants
- R4-22-124. Time-frames for Approval of Registration to Read or Interpret Mammographic Images

ARTICLE 1. GENERAL PROVISIONS

R4-22-105. Temporary licenses Repealed

- A.** Issuance. A temporary license shall be issued by the Secretary-Treasurer with the approval of the Board, provided the applicant meets the requirements for licensure under the terms and

~~conditions as set forth in A.R.S. § 32-1823.01. Temporary licenses will be numbered consecutively beginning with 100 and bearing the suffix "T", e.g. License No. 100-T.~~

- B.** Letter of temporary licensure: The Board shall issue a "Letter of Temporary Licensure" to the applicant bearing:

1. The date of issue.
2. The date of expiration.
3. The signatures of the President or Vice President and the Secretary-Treasurer, and
4. The seal of the Board.

- C.** Local emergency: A "local emergency" shall be deemed to exist wherever so declared by the Director of the Department of Health Services.

- D.** Inadequate availability of medical care: A lack of availability of adequate medical care in an Arizona community is deemed to exist if there is a critical shortage of physicians at tax supported institutions or in any locale where there is no coverage or inadequate coverage by osteopathic physicians and surgeons.

- E.** The fee for the initial six-month term of a temporary license is \$100.00. The fee for the renewal term of a temporary license is \$100.00.

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R4-22-116. Time-frames for Initial Licensure

- A.** For an initial licensure by, the overall time-frame described in A.R.S. § 41-1072(2) is 360 calendar days.
- B.** For an initial licensure, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 180 calendar days from the date the Board receives an application and all documents and information required by A.R.S. § 32-1822.
1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the information needed to complete the application and documents.
 - b. Within 365 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 180-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the information.
 2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of licensure to the applicant.
- C.** For an initial license, the substantive review time-frame described in A.R.S. § 41-1072(3) is 180 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 90 calendar days from the date of mailing of the comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 180-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of the licensure if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by rule or statute for licensure.
 2. If the applicant meets all of the substantive criteria required by statute or rule for licensure, the Board shall issue a license to the applicant.

R4-22-117. Time-frames for Locum Tenens Registration or Extension

- A.** For a locum tenens registration or extension, the overall time-frame described in A.R.S. § 41-1072(2) is 30 calendar days.
- B.** For a locum tenens registration or extension, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 15 calendar days from the date the Board receives

an application and all documents and information required by A.R.S. § 32-1823.

1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the application and documents.
 - b. Within 15 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 15-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
 2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of registration to the applicant.
- C.** For a locum tenens registration or extension, the substantive review time-frame described in A.R.S. § 41-1072(3) is 15 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 15 calendar days from the date of mailing of the comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 15-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of locum tenens registration or extension if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for a locum tenens registration or extension.
 2. If the applicant meets all of the substantive criteria required by statute or rule for a locum tenens registration or extension, the Board shall issue a locum tenens registration or extension to the applicant.

R4-22-118. Time-frame for License Renewal

- A.** For renewal of licensure, the overall time-frame described in A.R.S. § 41-1072(2) is 90 calendar days.
- B.** For renewal of licensure, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 90 calendar days and begins on the date the Board receives the renewal application.
1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice. The notice shall state each deficiency and the documents and information needed.

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2. The 90-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
3. If an applicant does not submit a complete renewal application before April 1, the license shall expire.
4. If the submitted application is administratively complete, the Board shall send a written notice of renewal to the applicant.

R4-22-119. Time-frames for Educational Teaching Permit

- A. For an educational teaching permit, the overall time-frame described in A.R.S. § 41-1072(2) is 10 calendar days.
- B. For an educational teaching permit, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 5 calendar days from the date the Board receives an application, and all documents and information required by A.R.S. § 32-1828.
 1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the application and documents.
 - b. Within 10 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 5-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
 2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of educational teaching permit to the applicant.
- C. For an educational teaching permit, the substantive review time-frame described in A.R.S. § 41-1072(3) is 5 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
 1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 10 calendar days from the date of mailing of a comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 5-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of educational teaching permit if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for an educational teaching

permit.

2. If the applicant meets all of the substantive criteria required by statute or rule for an educational teaching permit, the Board shall issue an educational teaching permit to the applicant.

R4-22-120. Time-frames for Training Permit or Renewal

- A. For a training permit or renewal, the overall time-frame described in A.R.S. § 41-1072(2) is 30 calendar days.
- B. For a training permit or renewal, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 15 calendar days from the date the Board receives an application, and all documents and information required by A.R.S. § 32-1829.
 1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the documents.
 - b. Within 30 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 15-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
 2. If the submitted application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of training permit or renewal to the applicant.
- C. For a training permit or renewal, the substantive review time-frame described in A.R.S. § 41-1072(3) is 15 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
 1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 30 calendar days from the date of mailing of a comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 15-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of training permit or renewal if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for a training permit or renewal.
 2. If the applicant meets all of the substantive criteria required by statute or rule for a training permit or renewal, the Board shall issue a training permit or renewal to the applicant.

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R4-22-121. Time-frames for Short Term Training Permit

- A.** For a short term training permit, the overall time-frame described in A.R.S. § 41-1072(2) is 30 calendar days.
- B.** For a short term training permit, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 15 calendar days from the date the Board receives an application, and all documents and information required by A.R.S. § 32-1829(C).
1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the documents.
 - b. Within 30 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 15-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
 2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of short term training permit to the applicant.
- C.** For a short term training permit, the substantive review time-frame described in A.R.S. § 41-1072(3) is 15 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 30 calendar days from the date of mailing of a comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 15-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of short term training permit if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for a short term training permit.
 2. If the applicant meets all of the substantive criteria required by statute or rule for a short term training permit, the Board shall issue a short term training permit to the applicant.

R4-22-122. Time-frames for Registration to Dispense Drugs and Devices

- A.** For a registration to dispense drugs and devices, the overall time-frame described in A.R.S. § 41-1072(2) is 150 calendar days.

- B.** For registration to dispense drugs and devices, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 45 calendar days from the date the Board receives an application, and all documents and information required by A.R.S. § 32-1871.

1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the application and documents.
 - b. Within 30 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 45-day time-frame for the Board to finish the administrative completeness is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
 2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of registration to dispense drugs and devices to the applicant.
- C.** For a registration to dispense drugs and devices, the substantive review time-frame described in A.R.S. § 41-1072(3) is 105 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.
1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 30 calendar days from the date of mailing of the comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 105-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of registration to dispense drugs and devices, if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for registration to dispense drugs and devices.
 2. If the applicant meets all of the substantive criteria required by statute or rule for registration to dispense drugs and devices, the Board shall issue a registration to dispense drugs and devices to the applicant.

R4-22-123. Time-frames for Approval of Educational Programs for Medical Assistants

- A.** For approval of an educational program for medical assistants, the overall time-frame described in A.R.S. § 41-1072(2) is 360 calendar days.
- B.** For approval of an educational program for medical assistants, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 180 calendar days from the date the

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Board receives an application, and all documents and information required by A.A.C. R4-22-110.

1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the application and documents.
 - b. Within 365 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 180-day time-frame for the Board to finish the administrative completeness review is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of approval of an educational program for medical assistants to the applicant.

C. For approval of an educational program for medical assistants, the substantive review time-frame described in A.R.S. § 41-1072(3) is 180 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.

1. During the substantive review time-frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 90 calendar days from the date of mailing of a comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 180-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of approval of an educational program for medical assistants if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for approval of an educational program for medical assistants.
2. If the applicant meets all of the substantive criteria required by statute or rule for approval of an educational program for medical assistants, the Board shall issue an approval of an educational program for medical assistants to the applicant.

R4-22-124. Time-frames for Registration to Read or Interpret Mammographic Images

A. For a registration to read or interpret mammographic images, the overall time-frame described in A.R.S. § 41-1072(2) is 150 calendar days.

B. For registration to read or interpret mammographic images, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 45 calendar days from the date the Board receives an application, and all documents and information required by A.R.S. § 32-2842.

1. If the required application is not administratively complete, the Board shall send to the applicant a deficiency notice.
 - a. The notice shall state each deficiency and the documents and information needed to complete the application and documents.
 - b. Within 30 calendar days from the date of mailing of a deficiency notice, an applicant shall submit to the Board the missing documents and information specified in the notice. The 45-day time-frame for the Board to finish the administrative completeness is suspended from the date the Board mails the deficiency notice to the applicant until the date the Board receives the documents and information.
2. If the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
3. If the application and submitted documents and information do not contain all of the components required by statute or rule, the Board may send a written notice of denial of registration to read or interpret mammographic images to the applicant.

C. For a registration to read or interpret mammographic images, the substantive review time-frame described in A.R.S. § 41-1072(3) is 105 calendar days and begins on the date the Board sends written notice of administrative completeness to the applicant.

1. During the substantive review time frame, the Board may make 1 comprehensive written request for additional information.
 - a. Within 30 calendar days from the date of mailing of the comprehensive written request for additional information, the applicant shall submit to the Board the requested additional information. The 105-day time-frame for the Board to finish the substantive review is suspended from the date the Board provides the comprehensive written request for additional information to the applicant until the Board receives the requested additional information.
 - b. The Board shall issue a written notice of denial of registration to read or interpret mammographic images, if:
 - i. The applicant does not submit the requested additional information within the time-frame in subsection (C)(1)(a); or
 - ii. The Board determines that the applicant does not meet all of the substantive criteria required by statute or rule for registration to read or interpret mammographic images.
2. If the applicant meets all of the substantive criteria required by statute or rule for registration to read or interpret mammographic images, the Board shall issue a registration to read or interpret mammographic images to the applicant.